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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/328,529 06/09/99 KORMAN

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<input type="checkbox"/>	EXAMINER	<input type="checkbox"/>
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PM82/O104

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BARTUSKA, F	
ART UNIT	PAPER NUMBER

2167

DATE MAILED: 01/04/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/328,529

Applicant(s)

B.R. KORMAN et al

Examiner

F.J. BARTUSKA

Group Art Unit

2167

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on Nov. 9, 2000
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 3, 9, 11 AND 23-46 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☒ Claim(s) 3, 9 AND 11 is/are allowed.
- ☒ Claim(s) 23-29, 31-34 AND 36-46 is/are rejected.
- ☒ Claim(s) 30 AND 35 is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
  - ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
  - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 23, 25-29, 33, 34, 36-42, 45 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Molbak et al '546 in view of Ziarno. Molbak et al '546 show a coin machine which counts coins and allows the user to

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select between receiving a cash voucher or donating the coin value to a charity, see col. 6, lines 5-54. Molbak et al '546 does not disclose the means to transmit data between remote terminals and a host terminal. Ziarno discloses in col. 15, line 64 to col. 16, line 17 transmitting data from remote terminals 100 to a host terminal 120 and then to a receipt generator 820. Ziarno discloses in col. 16, lines 35-39 that the receipt generator 820 may be located on the remote terminals 100. It would have been obvious to one of ordinary skill in the art in view of the data transmission means shown in Ziarno to provide the device of Molbak et al '546 with means to transmit data between remote terminals and a host terminal and then back to a receipt generator located at the remote terminals to inform the charity donor that the contribution has been received, the date it was received, if it is tax deductible and other like information.

3. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Molbak et al '546 in view Ziarno as applied to claim 23 above in further view of Inoue. Molbak et al '546, as modified by Ziarno, show a coin hopper 280, a coin discriminator (step 435), a controller for calculating the monetary value of the coins (step 440) and all the other features of the applicants' claimed invention except the means for transporting the coins to the hopper at a controlled rate. Inoue shows a coin hopper 35 with a transport device 23 which feeds coins to the hopper in a controlled manner, see col. 4, lines 21-38. It would have been obvious

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to one of ordinary skill in the art to provide the device of Molbak et al '546 with the transport system of Inoue to feed coins to the hopper in a controlled manner.

4. Claims 24, 43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Molbak et al '546 in view of Ziarno as applied to claim 23. Molbak et al '546, as modified by Ziarno, show all the features of the applicants' claimed invention except the means to accept credit cards and bank notes. It would have been obvious to one of ordinary skill in the art in view of the card 145 and the banknote 143 of Ziarno to provide the device of Molbak et al '546 with means to accept cards and banknotes.

5. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Molbak et al '546 in view of Ziarno as applied to claim 23 above in further view of Molbak et al '299. Molbak et al '546, as modified by Ziarno, show all the features of the applicants' claimed invention except the coin rail and the solenoid for removing counterfeit coins. It would have been obvious to one of ordinary skill in the art in view of the coin rail 506a and the solenoid 516' of Molbak et al '299 to provide the device of Molbak et al '546 with a coin rail and a solenoid to remove counterfeit coins.

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*Allowable Subject Matter*

6. Claims 30 and 35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Conclusion*

7. Any inquiry concerning this communication should be directed to F. J. Bartuska at telephone number (703) 308-1111.

  
F. J. BARTUSKA  
PRIMARY EXAMINER 12/27/50